



Legislation Text

File #: ORD-0045-2024, **Version:** 1

AN ORDINANCE AMENDING CHAPTER 737 TOBACCO PRODUCT SALES SECTIONS 737.04 AND 737.14 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

WHEREAS, on December 18, 2023, Council passed Ordinance 0071-2023 adopting Chapter 737 - Tobacco Product Sales, regulating the sale of tobacco products by requiring a Tobacco Retail License; and

WHEREAS, this Ordinance required contracting with the Franklin County Public Health for the administering the program on behalf of the City of Gahanna; and

WHEREAS, initiation of the Tobacco Retail License program in partnership with Franklin County Public Health was delayed due to the State of Ohio's preemption of Chapter 737 through Ohio Revised Code (ORC) 9.681; and

WHEREAS, on April 1, 2024, Council passed Resolution 0014-2024 to join the City of Columbus as co-plaintiff in a legal action challenging ORC 9.681; and

WHEREAS, on May 23, 2024, relief was granted for a permanent injunction against the State in enforcing ORC 9.681, prompting negotiations to resume on the Tobacco Retail License program with Franklin County Public Health; and

WHEREAS, the City Attorney has recommended amendments to the Codified Ordinances Sections 737.04 and 737.14 to address necessary changes in application deadlines and severability.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That Code Sections 737.04 - License Required and 737.14 - Other Laws are hereby amended and adopted as set forth in EXHIBIT A, attached hereto and made a part herein.

Section 2. That this Ordinance shall be in full force and effect after passage by this Council and 30 days after the date of signature of approval by the Mayor.